

## JOURNAL OF THE HOUSE.

Monday, June 4, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Eternal God, in Whom we place our trust and hope, we depend upon You for guidance and direction as we address the items, both legislative and personal, on this day's agenda. In Your goodness, inspire us to select the most just, fair, objective and ethical options which are open to us. During this season of commencements and graduations, we rejoice with our young people who are advancing their academic and professional careers. May we encourage all of our young people to use their human and spiritual talents and gifts in a productive and positive way for self-improvement and the common good.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

### *Message from the Governor — Bill Returned with Recommendation of Amendment.*

Methuen, Vincente Bridge.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill designating a bridge in the city of Methuen as the Corporal David M. Vincente Bridge [see House, No. 3446] (for message, see House, No. 4068) was filed in the office of the Clerk on Friday June 1.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Evelyn Coleman.

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Evelyn Coleman on receiving the Boston Post Cane Award;

Edward Deusser.

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Edward Deusser on the occasion of his retirement;

Michael Kelly.

Resolutions (filed by Representatives Barrows of Mansfield and Poirier of North Attleborough) congratulating Michael Kelly on receiving the Eagle Award of the Boy Scouts of America;

MONDAY, JUNE 4, 2007.

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and D'Amico of Seekonk) congratulating Matthew Salvias on receiving the Eagle Scout Award of the Boy Scouts of America;

Matthew Salvias.

Resolutions (filed by Messrs. Cabral of New Bedford and Correia of Fall River) on the occasion of Roberto L. Medeiros being one of the original founders of the Day of Portugal;

Roberto L. Medeiros.

Resolutions (filed by Mr. Cabral of New Bedford) congratulating Joseph G. Mello on the occasion of his retirement from public service;

Joseph G. Mello.

Resolutions (filed by Mr. Koczera of New Bedford) congratulating Carol Smola on her retirement from the New Bedford Public School system;

Carol Smola.

Resolutions (filed by Mr. Naughton of Clinton) honoring Major General Scott C. Black, the Judge Advocate General of the United States Army, upon his visit to the Massachusetts State House;

Scott C. Black.

Resolutions (filed by Mr. Smola of Palmer) honoring Constance Jean Thompson;

Constance Jean Thompson.

Resolutions (filed by Mr. Smola of Palmer) congratulating Chief Richard S. Ullery, Jr., on the occasion of his retirement from the Wales Police Department; and

Richard S. Ullery, Jr.

Resolutions (filed by Ms. Story of Amherst) congratulating the University Without Walls Program at the University of Massachusetts Amherst;

University of Massachusetts.

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. McMurtry of Dedham, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

### *Communication.*

A communication from the Office of Consumer Affairs and Business Regulation submitting the annual report of the Division of Professional Licensure for the fiscal year ending June 30, 2006,— was placed on file.

Division of Professional Licensure.

### *Papers from the Senate.*

The House Bill making appropriations for the fiscal year 2008 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4001) came from the Senate with the endorsement that said branch had insisted on its amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2250; and inserting before the enacting clause the following emergency preamble:

General Appropriation Bill.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to make appropriations for the fiscal year beginning July 1, 2007, and to make certain changes in law, each of which is immediately necessary or appropriate to effec-

tuates said appropriations or for other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.” (in which the House had non-concurred).

Committee of  
conference.

The bill bore the further endorsement that the Senate had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Panagiotakos, Tolman and Knapik had been joined as the committee on the part of the Senate.

Personal  
information,  
protection.

The House Bill relative to the protection of personal information (House, No. 4018, amended) came from the Senate with the endorsement that said branch had insisted on its amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2236; and striking out the title and inserting in place thereof the following title: “An Act relative to security freezes and notification of data breaches.” (in which the House had non-concurred).

Committee of  
conference.

The bill bore the further endorsement that the Senate had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Morrissey, Brewer and Tarr had been joined as the committee on the part of the Senate.

Home  
service  
contracts.

A report of the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 246) of Steven A. Tolman, Benjamin B. Downing and Thomas M. McGee for legislation relative to home service contracts, and recommending that the same be referred to the committee on Financial Services,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Southwick,  
Congamond  
Lakes.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2248) of Michael R. Knapik and Rosemary Sandlin (by vote of the town) for legislation to allow for the continued use of state owned property for fishing, boating and tourism purposes on the Congamond Lakes in Southwick. To the committee on Bonding, Capital Expenditures and State Assets.

Nantucket Sewer  
Act.

Petition (accompanied by bill, Senate, No. 2249) of Robert A. O’Leary and Eric Turkington (by vote of the town) for legislation to establish the Nantucket Sewer Act. To the committee on Municipalities and Regional Government.

Fall River,  
special police.

Petition (accompanied by bill, Senate, No. 2251) of Joan M. Menard, Robert Correia, Michael J. Rodrigues and other members of the General Court (with the approval of the mayor and city council) for legislation relative to special police in Fall River. To the committee on Public Safety and Homeland Security.

A report of the Department of Public Health (under the provisions of sections 5 and 20 of Chapter 111 of the General Laws) relative to an inspection of the Essex County Correctional Facility, in the town of Middleton, was spread upon the records of the House; and returned to the Senate.

Essex County  
Correctional  
Facility,  
inspection.

#### *Reports of a Committee.*

By Mr. Bradley of Hingham, for the committee on Election Laws, on a petition, a Bill relative to elections in the town of Merrimac (House, No. 3947) [Local Approval Received].

Merrimac,  
recall  
elections.

By the same member, for the same committee, on a petition, a Bill relative to the use of voting machines in the city of Haverhill (House, No. 4040) [Local Approval Received].

Haverhill,  
voting  
machines.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

#### *Emergency Measure.*

The engrossed Bill establishing a sick leave bank for Yaniris Cabrera, an employee of the Trial Court (see Senate, No. 2181, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Yaniris  
Cabrera,  
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

#### *Orders of the Day.*

##### House bills

Regulating preliminary elections in the city of Woburn (House, No. 3973); and

Third  
reading  
bills.

Relative to certain real property in the city of Northampton (House, No. 3975);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

#### *Recess.*

At fourteen minutes after eleven o’clock A.M., on motion of Mr. Smizik of Brookline (Mr. Donato of Medford being in the Chair), the House recessed until half past eleven o’clock; and at twenty-two minutes before twelve o’clock noon the House was called to order with Mr. Donato in the Chair.

Recess.

*Report of a Committee.*

Patient  
confidentiality.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill protecting patient confidentiality (House, No. 1315) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Ms. Balser of Newton, the bill was read a second time forthwith; and it was ordered to a third reading.

*Order.*

On motion of Mr. DiMasi of Boston,—

Next  
sitting.

*Ordered*, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

---

At twelve minutes before twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.